

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN**  
**BEFORE THE PROFESSIONAL ENGINEER SECTION**  
**OF THE JOINT BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS,**  
**DESIGNERS AND LAND SURVEYORS**

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	<b>FINAL DECISION</b>
<b>DALE DARWIN,</b>	:	<b>AND ORDER</b>
RESPONDENT.	:	LS#0508111ENG_____

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Division of Enforcement Case 04 ENG 005

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Dale Darwin  
9923 E. Scenic Drive Solon Springs, WI 54873

Division of Enforcement  
Department of Regulation and Licensing 1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Professional Engineer Section  
Joint Board of Architects, Landscape Architects,  
Professional Engineers, Designers and Land Surveyors Department of Regulation &  
Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Professional Engineer Section of the Joint Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors. The Section has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

## FINDINGS OF FACT

1. True North Engineering, Inc. ("True North") holds Certificate of Authorization, Architectural or Engineering Corporation number 011-0001854. True North's most recent address on file with the Wisconsin Department of Regulation and Licensing is 9923 E. Scenic Dr., Solon Springs, WI 54873.
2. Until his resignation in March of 2004, the president of True North was Dale Darwin, who holds Professional Engineer License number 006-0014965, first granted on August 29, 1975 and valid through August 1, 2006. Dale Darwin's most recent address on file with the Wisconsin Department of Regulation and Licensing is 9923 E. Scenic Dr., Solon Springs, WI 54873.
3. True North Engineering performed work under contract to the Wisconsin Department of Transportation.
4. In 2001, 2002, and 2003, Dale Darwin billed the company for a total of between \$30,000 and \$40,000 for travel that was not 100% related to company business.
5. Dale Darwin has been disbarred by the Wisconsin Department of Transportation from contracting with the Department.
6. The Board believes and Mr. Darwin does not contest for purposes of this proceeding that Dale Darwin violated Wis. Admin. Code sec. A-E 8.03 (3):
  - (3) "Misconduct in the practice of architecture, landscape architecture, professional engineering, designing or land surveying" means an act performed by an architect, landscape architect, professional engineer, designer or land surveyor in the course of the profession which jeopardizes the interest of the public, including any of the following:
  - (c) Engaging in conduct which evidences a lack of trustworthiness to transact the business required by the profession.
7. Dale Darwin offers to voluntarily surrender his Professional Engineer License and he has returned all indicia of licensure to the Department.

## CONCLUSIONS OF LAW

- A. The Professional Engineer Section of the Joint Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter, pursuant to Wis. Stat. §443.11, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).
- B. The Board believes and Mr. Darwin does not contest for purposes of this proceeding that Mr. Darwin's billing constitutes a violation of Wis. Admin. Code sec. A-E 8.03 (3), and Mr. Darwin is subject to disciplinary action against his Professional Engineer license, pursuant to Wis. Admin. Code sec. A-E 8.03 and Wis. Stat. sec. 443.11.

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

- I. The voluntary surrender of the License to practice as a Professional Engineer issued to Dale Darwin is hereby accepted, effective on the date this order is signed.
- II. Mr. Darwin shall, within 60 days from the date of this order, pay costs of this proceeding in the amount of \$2,772.78. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:  
Department Monitor

Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
608-261-7904

III. This order is effective on the date of its signing.

THE JOINT BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS,  
DESIGNERS AND LAND SURVEYORS, PROFESSIONAL ENGINEER SECTION

By:

Lynda Farrar  
A Member of the Section

August 11, 2005  
Date